

MINUTES OF THE REGULAR MEETING OF THE FAIRFAX COUNTY
REDEVELOPMENT AND HOUSING AUTHORITY

January 29, 2004

On January 29, 2004, the Commissioners of the Fairfax County Redevelopment and Housing Authority (FCRHA) met in the FCRHA Board Room, One University Plaza, 4500 University Drive, Fairfax, Virginia, at 6:45 pm for a presentation by Louise Milder, Senior Real Estate Finance Office, Real Estate Finance and Grants Management Division, on New Market Tax Credits. The presentation concluded at 7:00 pm.

CALL TO ORDER

FCRHA Chair Conrad Egan called the regular meeting of the FCRHA to order at 7:05 pm. FCRHA Commissioners present and absent for a portion or all of the meeting were as follows:

PRESENT

Conrad Egan
Ronald Christian
Kenneth Butler
Martin Dunn
John Kershenstein
Elisabeth Lardner
Albert McAloon
Joan Sellers
Lee A. Rau

ABSENT

Willard Jasper
H. Charlen Kyle

Also present at the meeting were the following staff of the Department of Housing and Community Development (HCD): Paula C. Sampson, Director; Mary A. Stevens, Deputy Director; Harry Swanson, Deputy Director, Revitalization and Real Estate; Kristina Norvell, Director of Public Affairs; Michael Finkle, Director, Housing Management Division; James Hall, Chief, Housing Services Branch, HMD; Anne Morrison, Asset Manager; Stanley Underwood, Director, Financial Management Division; James Speight, Director, Property Improvement and Maintenance Division (PIMD); John Payne, Director, Design, Development and Construction Division (DD&C); Gordon Goodlett, Development Officer; DD&C; Michael Pearman, Management Analyst, REFGM; Barbara Silberzahn, Chief, Homeownership and Relocation Services (H&RS); Bonnie Conrad, Program Manager, H&RS; Joe Maranto, Fiscal Administrator, FMD; Russ Boothby, Comprehensive Grant Program Manager, PIMD; Terri Knerr, Real Estate Loan Officer, REFGM; David Bennett, Housing/Community Developer, REFGM; Louise Milder, Senior Real Estate Finance Officer, REFGM; Curtis Hall, Director, Information Systems and Services; James Bray, Senior Real Estate Finance Officer, REFGM; Michael Wever, Senior Housing Services Specialist, HMD; Elisa Johnson, Grants Coordinator, REFGM; Audrey Spencer-Horsley, Housing/Community Developer IV, REFGM; Jeff Kidwell, Senior Community Program Coordinator, REFGM; JoAnne Ibrahim, Administrative Assistant IV, Administration Division; Alan Weiss and David Stroh, Assistant County Attorneys and FCRHA Counsel.

CITIZEN TIME

The Chair opened Citizen Time at 7:06 p.m.

- Pam Gannon, Director of Planning and Site Development, Fairfax-Falls Church Community Services Board, spoke about the effort to produce more SRO housing.
- Sheri Link testified as a member of the Faith Communities in Action Housing Task Force

The Chairman closed Citizen Time at 7:20 pm.

PUBLIC HEARING ON THE ANNUAL PLAN

The Chairman opened the Public Hearing on the FCRHA's Public Hearing and Housing Choice Voucher Programs Annual Plan Update for Fiscal Year 2005 at 7:21 pm. Since no speakers signed up to speak, the Chairman closed the hearing at 7:23 pm.

Without objection, FCRHA Chair Conrad Egan moved Resolution 07-04, Resolution Commending Erik Hoffman for his Service to the Fairfax County Redevelopment and Housing Authority, to the top of the agenda.

ADMINISTRATIVE ITEMS

1. RESOLUTION NUMBER: 07-04

RESOLUTION COMMENDING ERIK HOFFMAN FOR HIS SERVICE TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY

WHEREAS, during his tenure as Director for the Real Estate and Grants Management Division of the Fairfax County Department of Housing and Community, Erik Hoffman diligently served the Fairfax County Redevelopment and Housing Authority and Fairfax County; and

WHEREAS, he played key roles in development of the Revitalization Incentive Fund, a tool to spark and encourage revitalization, and the Preservation Loan Fund, an important tool to preserve the affordable housing stock in Fairfax County; and

WHEREAS, he initiated efforts to redesign the First-Time Homebuyers Program into a more efficient and effective process; and

WHEREAS, he implemented a system to track the timely expenditure of CDBG funds to ensure that all federally mandated deadlines and requirements were being met; and

WHEREAS, he inspired his staff through his outstanding supervisory style; and

WHEREAS, through his leadership, he molded a newly reorganized division into an effective team and was able to successfully integrate the various and differing branches of the division; and

WHEREAS, during his service he consistently exercised a genuine commitment to the citizens of Fairfax County, the Fairfax County Redevelopment and Housing Authority, the Department of Housing and Community Development and to his division staff; and

WHEREAS, Erik Hoffman has completed his distinguished service with the County;

NOW, THEREFORE, BE IT RESOLVED, that the FCRHA expresses deepest appreciation for outstanding service rendered in the fields of real estate finance and grants management;

BE IT FURTHER RESOLVED, that the FCRHA wishes Erik Hoffman success and fulfillment in all his future endeavors.

A motion was made by Commissioner Kershenstein, seconded by Commissioner Sellers, to adopt Resolution Number 07-04. A vote was taken after discussion, and the motion carried unanimously.

APPROVAL OF MINUTES FOR DECEMBER 11, 2003

A motion was made by Commissioner Rau, seconded by Commissioner Christian, to adopt the minutes of the December 11, 2003 meeting as written. A vote was taken, and the motion carried, with Commissioners Butler and Sellers abstaining due to their absence at the meeting.

APPROVAL OF MINUTES FOR JANUARY 6, 2004

A motion made by Commissioner Christian, seconded by Commissioner Kershenstein, to adopt the minutes of the January 6, 2004 special meeting, passed with Commissioner Rau and Butler abstaining due to their absence from the meeting.

ACTION ITEMS

1

RESOLUTION NUMBER 02-04

APPROVAL TO SUBMIT TO THE U.S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY ANNUAL PLAN UPDATE FOR FISCAL YEAR 2005, PREPARED UNDER THE FEDERAL QUALITY HOUSING AND WORK RESPONSIBILITY ACT OF 1998

NOW THEREFORE, BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the submission of the Annual Plan Update for Fiscal Year 2005 contained in the item presented to the FCRHA at its meeting on January 29, 2004.

A motion was made by Commissioner Christian, seconded by Commissioner Sellers, to adopt Resolution Number 02-04. A vote was taken after discussion, and the motion carried unanimously.

2. RESOLUTION NUMBER 03-04

APPROVAL OF RECOMMENDATIONS FOR THE USE OF FY 2005 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND HOME FUNDS

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA)

1. Approves recommendations for the use of FY 2005 Community Development Block Grant and HOME funds presented to the FCRHA at the meeting on January 29, 2004; and
2. Forwards those recommendations to the Consolidated Community Funding Advisory Committee for consideration in preparation of the Consolidated Plan One-Year Action Plan Use of Funds for FY 2005

A motion was made by Commissioner Butler, seconded by Commissioner Dunn, to adopt Resolution Number 03-04. A vote was taken after discussion, and the motion carried.

AYE

Conrad Egan
Ronald Christian
Martin Dunn
Elisabeth Lardner
Al McAloon
Lee A. Rau
Joan Sellers

NAY

John Kershenstein
Kenneth Butler

3. RESOLUTION NUMBER 04-04

AUTHORIZATION TO EXTEND THE PERMANENT FINANCING FOR ONE
UNIVERSITY PLAZA (BRADDOCK DISTRICT)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA):

1. Authorizes accepting the commitment letter from United Bank to extend the \$269,574.96 outstanding current loan balance on One University Plaza for a period of 10 years at 5% per annum.
2. Authorizes the Chairman, Vice Chairman, Secretary or an Assistant Secretary of the FCRHA to execute all necessary documents to effectuate the extension of the loan.

A motion was made by Commissioner Christian, seconded by Commissioner Rau, to adopt Resolution Number 04-04. A vote was taken after discussion, and the motion carried unanimously.

4. RESOLUTION NUMBER 05-04

AUTHORIZATION, SUBJECT TO THE APPROVAL OF THE FAIFAX COUNTY BOARD OF
SUPERVISORS, TO REVISE THE TERMS AND CONDITIONS OF A \$794,000 LOAN FROM
THE AFFORDABLE HOUSING PARTNERSHIP PROGRAM TO WESLEY COPPERMINE
LIMITED PARTNERSHIP (HUNTER MILL DISTRICT)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby authorizes, subject to the approval of the Board of Supervisors, the revised terms and conditions, as stated in the Revised Summary of Terms as of January 29, 2004 provided as Attachment 3 to the item presented to the FCRHA at its meeting of January 29, 2004, of its Affordable Housing Partnership Program loan to Wesley Coppermine Limited Partnership;

BE IT FURTHER RESOLVED that the FCRHA authorizes the Director of the Department of Housing and Community Development, acting as Assistant Secretary, to negotiate and any Assistant Secretary to execute any and all necessary documents to make available the \$794,000 in Affordable Housing Partnership Funds to the Wesley Coppermine Limited Partnership for the purposes described, including such subordination and/or lease agreements to effectuate the financing structure in accordance with the terms and conditions outlined in the item presented to the FCRHA at its January 29, 2004 meeting by staff, as set forth above, and such other modifications as may be approved by the Board of Supervisors.

A motion was made by Commissioner Rau, seconded by Commissioner McAloon, to adopt Resolution Number 05-04. A vote was taken after discussion, and the motion carried unanimously.

5. RESOLUTION NUMBER 06-04

AUTHORIZATION TO ADVERTISE FOR A PUBLIC HEARING BY THE FAIRFAX COUNTY
REDEVELOPMENT AND HOUSING AUTHORITY ON MARCH 11, 2004, TO RECEIVE
PUBLIC COMMENT REGARDING ITS OPTION TO PURCHASE UP TO TEN AFFORDABLE
DWELLING UNITS AT THE WESTCOTT RIDGE DEVELOPMENT PURSUANT TO
SECTION 2-810 OF THE FAIRFAX COUNTY ZONING ORDINANCE
(SPRINGFIELD DISTRICT)

WHEREAS, pursuant to Section 2-810 of the Fairfax County Zoning Ordinance, the Fairfax County Redevelopment and Housing Authority (FCRHA) has an option to purchase up to one-third of all Affordable Dwelling Units (ADU's) being offered for sale at any one development for up to ninety days after the offering is approved; and

WHEREAS, Offering Agreements for thirty-seven ADU's at the Westcott Ridge development are pending or soon to be submitted and the FCRHA will have the right to purchase up to 12 ADU's at this development; and

WHEREAS, the FCRHA has adopted a policy which limits to ten the number of ADU's purchased in any one development; and

WHEREAS, the FCRHA has received an initial analysis, pursuant to its ADU acquisition policy adopted May 14, 2003, of the suitability of acquiring ADU's at Westcott Ridge and has deemed that further investigation of the financial feasibility and solicitation of public comments in connection with exercising its right to purchase ADU's at Westcott Ridge is warranted; and

WHEREAS, the FCRHA ADU acquisition policy provides that a public hearing before the FCRHA must be held prior to a decision being made on the acquisition of ADU's at any development; and

NOW THEREFORE BE IT RESOLVED THAT the FCRHA authorizes advertisement of a public hearing on the acquisition of up to ten ADU's at Westcott Ridge, in accordance with the guidelines in its ADU acquisition policy, to be held at its next regular meeting on March 11, 2004.

A motion was made by Commissioner Kershenstein, seconded by Commissioner McAloon, to adopt Resolution Number 06-04. A vote was taken after discussion, and the motion carried unanimously.

2. RESOLUTION NUMBER 08-04

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR REHABILITATION AT PROJECT VA 1927, ROBINSON SQUARE TOWNHOUSES WITHIN FUND 969, PUBLIC HOUSING PROGRAMS UNDER MODERNIZATION (BRADDOCK DISTRICT)

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority determines that Chinn Ridge Construction Co., Inc. is the lowest responsive and responsible bidder for the renovations at Robinson Square Townhouses and hereby authorizes:

1. Its Chairman, Vice Chairman or an Assistant Secretary to enter into a contract in the amount of \$245,600 for these improvements to Robinson Square Townhouses with Chinn Ridge Construction Co., Inc.
2. Its Chairman, Vice Chairman or an Assistant Secretary to approve change orders to this contract in an amount not to exceed 5 percent of the contract (\$12,280) and designate a contracting officer.

A motion was made by Commissioner Christian, seconded by Commissioner Kershenstein, to adopt Resolution Number 08-04. A vote was taken after discussion, and the motion carried unanimously.

3. RESOLUTION NUMBER 09-04

MODIFICATION OF REVISED INTERIM CRITERIA AND POLICY FOR THE REPURCHASE OF MODERATE INCOME DIRECT SALES (MIDS) TO AUTHORIZE THE RESALE OF MIDS UNITS TO QUALIFYING IMMEDIATE FAMILY MEMBERS OF CURRENT OWNERS

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) amends its Revised Interim Criteria and Policy to allow the resale of former MIDS units to an immediate family member of the sellers and not through the normal First-Time Homebuyers procedures under the following circumstances:

1. The owner or owners request the sale of the MIDS unit to an immediate family member designated by the owner at the time that the owner provides the written intent to sell. Immediate family member is defined as a parent, spouse, sibling, natural child, foster child, stepchild, or adopted child; and
2. The proposed purchaser(s) are qualified First-Time Homebuyers as defined by the First-Time Homebuyers Program. Proof of qualification for the First-Time Homebuyers Program shall be provided at the time of the request to sell to the immediate family member.

A motion was made by Commissioner McAloon, seconded by Commissioner Christian, to adopt Resolution Number 09-04. A vote was taken after discussion, and the motion carried unanimously.

CLOSED SESSION

A motion was made by Commissioner Dunn, seconded by Commissioner Rau, that the Fairfax County Redevelopment and Housing Authority ("FCRHA") go into Closed Session for discussion and consideration, pursuant to Virginia Code Section 2.2-3711(A)(3), of the acquisition of real property for a public purpose located in Fairfax County at 8906 Waldren Way, Lorton, Virginia (Mount Vernon District) where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the FCRHA.

A vote was taken, the motion passed, and the FCRHA went into closed session at 8:45 p.m.

OPEN MEETING RESUMED

A motion was made by Commissioner Dunn, seconded by Commissioner Sellers, that the members of the Fairfax County Redevelopment and Housing Authority certify that to the best of their knowledge only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Closed Session were heard, discussed or considered by the Fairfax County Redevelopment and Housing Authority during Closed Session.

A vote was taken by roll call as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Conrad Egan		
Ronald Christian		
Kenneth Butler		
Martin Dunn		
John Kershenstein		
Elisabeth Lardner		
Albert McAloon		
Lee Rau		
Joan Sellers		

The motion carried, and the FCRHA resumed open meeting at 9:55 pm.

INFORMATION ITEMS:

1. Fairfax County Redevelopment and Housing Authority Meeting Summary
2. Contracts of \$50,000 or Less

3. Minutes of the Housing Ownership, Management, and Security Committee Meeting
4. Minutes of the Finance Committee Meeting
5. Minutes of the Planning and Development Committee Meeting
6. Status Report on Acquisition of New Housing Management Information System
7. FY 2003 Audited Financial Statements and Management Letter
8. Resident Opportunities and Self-Sufficiency (ROSS) Grant Outcome Measures
9. Notification of Grant Awards for the Fiscal Year 2003 U.S. Department of Housing and Urban Development's Super Notice of Funding Availability
10. Moderate Income Direct Sales (MIDS) Tracking Report
11. At-Risk Housing Projects Semiannual Report: Status of the Project-Based Section 8, Section 221(d) 3/236, and Bond Financed Developments and Non-Subsidized Housing with Modest Rents in Fairfax County – brief discussion.
12. Affordable Dwelling Unit (ADU) Tracking Report
13. Affordable Dwelling Units (ADU) Production Trends – Without objection, Commissioner Dunn requested that this item be tabled until the next regular meeting of the FCRHA.
14. Fairfax County Redevelopment and Housing Authority Calendars of Meetings for February and March, 2004
15. Notification of Award of Allocation of Sponsoring Partnerships and Revitalizing Communities (SPARC) Mortgage Funds from the Virginia Housing Development Authority (HANDOUT)

BOARD MATTERS – See Attachment #1

ADJOURNMENT

A motion was made by Commissioner Dunn, seconded by Commissioner Seller, that the FCRHA adjourn at 10:43 p.m. A vote was taken and the motion carried unanimously.

(Seal)

Conrad Egan, Chair

Paula C. Sampson, Assistant Secretary

Board Matters

January 29, 2004

1. FCRHA Meeting with Zoning Administrator

Commissioner Kershenstein requested that staff invite the new Fairfax County Zoning Administrator to attend a future FCRHA meeting for a discussion on zoning issues and how they can impact or be beneficial to revitalization, neighborhood preservation, etc. He further requested that staff identify key issues that the FCRHA could discuss at this meeting.

2. Presentation on Burke Shire Commons

Commissioner Dunn requested that Michael Pearman, Management Analyst, give a brief update on Burke Shire Commons. Mr. Pearman gave the requested presentation informing the FCRHA that the property management has changed due to a new ownership structure, but that the site staff would be retained.

3. Commending PIMD Staff

Commissioner Sellers complimented PIMD staff on their commitment to timely removal of snow from FCRHA properties. Commissioner Lardner echoed Commissioner Sellers' compliments, but asked whose responsibility it was to clean the sidewalks that back up to FCRHA properties such as a bus stop that is located on Sherwood Hall. James Speight, Director, PIMD, noted that the sidewalk could be added to the PIMD schedule for shoveling, but has not traditionally been the FCRHA's responsibility. Paula Sampson noted that the FCRHA could become libel for the sidewalk if someone fell after PIMD staff shoveled it, so it was determined that staff would investigate the issue and report back their findings.

4. Commending Staff for Quality Presentations

Commissioner McAloon thanked staff for and complimented them on clear written and verbal presentations at the meeting.

5. FCRHA E-mail Addresses Through Fairfax County

Commissioner Christian asked if it was possible for the FCRHA commissioners to have e-mail addresses based on Fairfax County's domain name. Curtis Hall, Director of Information Systems and Services, noted that it was possible for the commissioners to have e-mail addresses based on the county's system, but how they wished to use the addresses would determine how the account would be set up. A discussion of the various options and potential for setting up the FCRHA e-mail accounts followed. It was determined that staff would investigate the options and report back to the FCRHA at a later date.

6. Wesley Housing

Commissioner Christian noted that the presenter during the Wesley Housing resolution was an example of the positive outcome of available affordable housing. She had been a homeless person who had been assisted by Wesley Housing a number of years ago, and now directs Wesley Housing's development operation.

7. Façade Improvement

Commissioner Lardner reported that members of the Façade Improvement group met earlier in January. At their meeting, it was discussed that they have been working with a lot of small owner occupied buildings on small lots that, in general, do not have a lot of interest from the development community. Through this work, the group is discovering that the initial discussions with architects about the Façade program is leading to much greater investment from the business community in the area.

8. No Net Loss

Commissioner Lardner reported that she went to the Kings Crossing meeting and the issue of no net loss was brought up. She noted that she will have another meeting with Kay Robertson, Strategic Planner, to discuss how a win-win solution can be developed to resolve the issue.

9. Announcement of Stan Underwood's Retirement

Commissioner Butler announced that Stan Underwood, Director of Finance, will retire in April and complimented Mr. Underwood for the high quality of work. Commissioner Butler requested that staff plan an appreciate send-off in Mr. Underwood's honor. Chairman Egan asked that the FCRHA commissioners be invited to the event, and Paula Sampson, Director, noted that staff would also prepare a resolution in Mr. Underwood's honor to bring before the FCRHA.

10. Public-Private Partnerships

Commissioner Butler reported that the Finance committee discussed partnerships at their meeting, and requested that staff investigate how affordable housing could be developed in revitalization areas with or without public funding. He referred staff to John Stainback, Chairman of Real Estate Institute through the National Council of Public Private Partnerships as a potential contact for ideas on this effort and asked that staff report back to the FCRHA on this issue.

11. Allocation of Funds Through CCFAC

Commissioner Butler asked to know when the CCFAC would allocate funds to non-profits. Audrey Spencer-Horsley, Housing Community Developer, reported that those funds would be awarded in April.

12. Fairfax County Lobbying Policy

Commissioner Butler reported that he had seen the letter, which contained the Fairfax County seal, from the Disability Services Board requesting a clarification on the issue of notification and the FCRHA Chairman response to it. He requested that, at the next FCRHA meeting, the County Attorney provide an opinion on how groups like the DSB is comprised and if they are in violation of the County's lobbying policy

13. FCRHA Support of Funding Criteria for Public Bodies

Commissioner Egan requested that the minutes from tonight's meeting reflect that the FCRHA supports valid criteria for any public body's ability to make decisions for funding in the County and among those criteria should be, at a minimum, accountability, representativeness and transparency.

14. 2004 Audrey Nelson Community Development Achievement Awards Ceremony

Commissioner Egan noted that Paula Sampson and he had participated in an awards ceremony by the National Community Development Association where the FCRHA was awarded a 2004 Audrey Nelson Community Development Achievement Award for Gum Springs Glen.

15. Housing Trust Fund

Paula Sampson, Director, reported that Fairfax County is taking in approximately one million dollars more into the Housing Trust Fund in this fiscal year than was anticipated. She requested approval from the FCRHA to add an item to their special meeting agenda to address how the FCRHA would like to allocate the additional funds. There was no objection from the FCRHA to add this item to the special meeting's agenda.

16. Meeting with Fairfax County Board of Supervisors Chairman Gerald Connolly

Commissioner Egan reported that Vice Chairman Christian, Paula Sampson and he met with the new Chairman of the Board of Supervisors Gerald Connolly and they discussed the potential for launching a more visible, proactive effort to preserve affordable housing in Fairfax County. They also discussed how the production of new affordable housing could be encouraged and how affordable housing will impact the long range planning of Fairfax County such as zoning and the county's comprehensive plan. Two other issues that were discussed included affordable dwelling units and no net loss.

17. FCRHA Special Meeting and Strategic Planning Meeting

Commissioner Egan reminded the FCRHA of the planning meeting on Saturday, Feb. 7, from 10 a.m. to 3 p.m. to engage in discussion of the FCRHA's Strategic Plan. A special meeting of the FCRHA will be held from 9:30 – 10 a.m. Commissioners will receive hard copies of their packages for these meetings by Wednesday, Feb. 4. Commissioner Butler inquired about the possibility of holding the planning meeting at another location outside of One University. Paula Sampson reported that staff would look into the possibility and report back to the FCRHA at the beginning of the week. Subsequently, the planning and special meetings were later moved to 3700 Pen Drive.